

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

**MAY 28 2008**

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**JAMES W. McCORMACK, CLERK**  
By: *[Signature]* **DEPUTY CLERK**

**FITZGERALD Z. DIXON**

**PLAINTIFF**

**V.**

**3:07CV000178JMM**

**SCHNEIDER NATIONAL INC.  
And SCHNEIDER NATIONAL  
CARRIERS, INC.**

**DEFENDANTS**

**ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS**

Plaintiff has filed a motion to voluntarily dismiss Defendant Schneider National, Inc. The Court finds that Plaintiff's motion to dismiss (Docket # 14) should be, and hereby is, GRANTED. The Clerk is directed to terminate Defendant Schneider National Inc.

The Court notes that Plaintiff's right to re-file the case against this Defendant is subject to the provisions of Rule 41(d) of the Federal Rules of Civil Procedure. Under Rule 41(d), the Plaintiff may be ordered to pay any costs of this action which the Court deems appropriate if Plaintiff re-files the action against the Defendant.

IT IS SO ORDERED this 28th day of May 2008.

*[Signature]*  
James M. Moody  
United States District Judge